

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 24-7089

September Term, 2023

1:22-cv-01043-APM

Filed On: July 26, 2024

National Railroad Passenger Corporation,
(Amtrak),

Appellee

v.

Sublease Interest Obtained Pursuant to an
Assignment and Assumption of Leasehold
Interest Made as of January 25, 2007, with
said property interest pertaining to described
leasehold interests at Washington Union
Station, et al.,

Appellees

Union Station Investco, LLC and Kookmin
Bank Co., LTD., Individually and in its
capacity as trustee of KTB CRE Debt Fund
No. 8, a Korean Investment trust,

Appellants

BEFORE: Millett, Pillard, and Rao, Circuit Judges

ORDER

Upon consideration of the emergency motion for stay pending appeal, the opposition thereto, and the reply; the motion to dismiss the appeal for lack of jurisdiction, the opposition thereto, and the reply; and the letters filed pursuant to Federal Rule of Appellate Procedure 28(j), it is

ORDERED that the motion for stay be denied. Appellants have not satisfied the stringent requirements for a stay pending appeal See Nken v. Holder, 556 U.S. 418, 434 (2009); D.C. Circuit Handbook of Practice and Internal Procedures 33 (2021). Specifically, appellants have not demonstrated that they are likely to succeed on the merits of the appeal, or that they will be irreparably harmed absent a stay. It is

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FURTHER ORDERED that the motion to dismiss be referred to the merits panel to which this appeal is assigned. The parties are directed to address in their briefs the issues presented in the motion to dismiss rather than incorporate those arguments by reference.

Because the court has determined that summary disposition is not in order, the Clerk is instructed to calendar this case for presentation to a merits panel.

Per Curiam

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/

Selena R. Gancasz
Deputy Clerk